

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff

CASE NO. CR21-05186BHS

v.

**GOVERNMENT'S NOTICE OF
RELEVANT AUTHORITY**

ABIDEMI RUFAI
a/k/a Sandy Tang,
Defendant.

In his response to the government's Motion for Review of Release Order, defendant cites *United States v. Campbell*, CR20-5065RJB, as a comparable case in which release was ordered. Dkt. 16 at 9. Campbell was a longtime resident of the Puget Sound area. She worked for the Pierce County Housing Authority for 21 years and owned substantial property in the United States. CR20-5065RJB, Dkt. 28 at 5. The government did not regard Campbell as a flight risk and did not seek her detention. *Campbell* is not a relevant comparison to this case.

A better comparison is *United States v. Kvashek*, CR19-143JLR. Kvashek is a Ukrainian citizen who defrauded Microsoft of approximately \$10 million. Unlike Rufai, Kvashek had lived in the United States since 2015 and worked as a software engineer for Microsoft on a work permit. However, because of Kvashek's foreign citizenship, foreign ties, and the potential for hidden assets, Judge Theiler ordered him detained. Ex. A. The defense appealed the detention order to Judge Robart and then to the Ninth

1 Circuit, both of which affirmed detention. The Ninth Circuit held that the district court
2 “correctly found that the government has met its burden of showing, by a preponderance
3 of the evidence, that no combination of combination of conditions will reasonably assure
4 the defendant’s appearance as required.” Ex. B at 2. The government submits that Rufai
5 presents an even greater risk of flight because of his complete lack of ties to the Western
6 District of Washington and his demonstrated intent to return to Nigeria.

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8 DATED: June 16, 2021.

9 Respectfully submitted:
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